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BULLETIN NO.

79-1

Date: **August 1, 1979** Subject: **Prior Approvals for Potable**  
Revised: **September 1994** **Water Wells**

Reference: **N.J.A.C. 5:23-1.4, 2.15**

Municipal or County Boards of Health have the responsibility for enforcing Chapter 199, P.L. 1954 of the Standards for the Construction of Public Non-Community and Non-Public Water Systems which requires that samples of raw water be collected and analyzed for bacteria before certification can be issued.

Newly installed wells should not be used for potable water purposes until bacteriological standards are met. Chapter 199, P.L. 1954 does not address the problem of preventing use of the water system until certification is issued.

The Uniform Construction Code Regulations N.J.A.C. 5:23-2.15(a)5 state that the application for a construction permit shall include a statement that all required State, County and local prior approvals have been given, including such certifications as the construction official may require. N.J.A.C. 5:23-1.4 states that "prior approvals" shall mean the necessary certifications of any Federal or State agency, or any political subdivision of the State which are conditions precedent to the issuance of a construction permit or a certificate of occupancy or approval.

Hence, the construction official should require certification of the nonpublic water supply as a condition for the issuance of a construction permit. If this requirement creates a hardship for the permit applicant, the construction official may issue the permit prior to certification of the water supply with the condition that no certificate of occupancy will be issued until the water supply has been certified.

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